



Federal Communications Commission
Washington, D.C. 20554

July 20, 2007

DA 07-3325

Mr. Quinten R. Erickson
18206 234½th Avenue
Big Lake, MN 55309

Re: Applications for Vanity Call Sign N7AZ

Dear Mr. Erickson:

This letter is in response to your petition you filed on February 24, 2007, seeking reconsideration of the dismissal of your application¹ to modify your Amateur Radio Station call sign to N7AZ, and the grant of the application² of Jon F. Goering to modify his Amateur Radio Station call sign to N7AZ. You argue that Mr. Goering's application should have been dismissed as premature. For the reasons discussed herein, we deny the petition.

Section 97.19(c)(1) of the Commission's Rules provides, with certain exceptions not relevant in this case, that a call sign shown on an expired license is not available to the vanity call sign system for two years following the expiration of the license.³ This two-year period corresponds to the grace period during which the licensee of an amateur station may apply for renewal of the station and operator license. The expired call sign becomes available for reassignment the day after the two-year period ends.⁴

The prior license for call sign N7AZ expired on January 13, 2005. Therefore, the two-year period terminated at the end of January 13, 2007, and the call sign became available to the vanity call sign system on Sunday, January 14, 2007. Mr. Goering's application was received by the Commission on January 14, 2007. Because it was received on a weekend, it was deemed to be filed on the next business day, which was Tuesday, January 16, 2007.⁵ You assert that Mr. Goering's application should have been dismissed because the prior license was still reflected in the Commission's licensing records on Sunday, January 14, 2007. We disagree. That the Commission's records were not updated until after the weekend does not change the date on

¹ FCC File No. 0002878738 (filed Jan. 16, 2007, amended Feb. 1, 2007).

² FCC File No. 0002878632 (filed Jan. 16, 2007).

³ 47 C.F.R. § 97.19(c)(1).

⁴ See Kenneth C. Lamson, *Letter*, 22 FCC Rcd 3187, 3187 (WTB MD 2007) (citing Amendment of the Amateur Service Rules to Implement a Vanity Call Sign System, *Memorandum Opinion and Order*, PR Docket No. 93-305, 10 FCC Rcd 11135, 11137 ¶ 12 (1995) ("even if a renewal application is received on the last day of the grace period, no other conflicting application, such as a request for a vanity call sign, would be processed"))).

⁵ See 47 C.F.R. § 0.401(b)(2).

which the call sign became available to the vanity call sign system. Mr. Goering's application therefore was not premature. Your application and Mr. Goering's, as well as others, were included in a lottery to determine the processing order of applications with a filing date of January 16, 2007. Of the applications that requested call sign N7AZ, Mr. Goering's was the first selected. Consequently, we conclude that his application was properly granted, and your application was properly dismissed.⁶

Accordingly, IT IS ORDERED that, pursuant to Sections 4(i) and 405 of the Communications Act of 1934, as amended, 47 U.S.C. §§ 154(i), 405, and Section 1.106 of the Commission's Rules, 47 C.F.R. § 1.106, the petition for reconsideration filed by Quinten R. Erickson on February 24, 2007 IS DENIED.

This action is taken under delegated authority pursuant to Sections 0.131 and 0.331 of the Commission's Rules, 47 C.F.R. §§ 0.131 and 0.331.

FEDERAL COMMUNICATIONS COMMISSION

Scot Stone
Deputy Chief, Mobility Division
Wireless Telecommunications Bureau

cc: Mr. Jon F. Goering
648 N. Thunderbird Dr.
Apache Junction, AZ 85220

⁶ We note that you subsequently were successful in modifying your Amateur Radio Station call sign to N0RD. See FCC File No. 0002987647 (filed Apr. 10, 2007).